

REMARKS

Claims 1-10 have been canceled. Claims 11-17 are now pending in the application. Applicant amends claims 11 and 14-16 for further clarification, and refers to Fig. 2 and its corresponding description in the specification for an exemplary embodiment of and support for the claimed invention. No new matter has been added.

Claims 11-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,434,134 to La Porta et al.. Applicant amends claims 11 and 14-16 in a good faith effort to clarify the invention as distinguished from the cited reference, and respectfully traverses the rejection.

The cited portions of La Porta et al. only include description of a generic home agent technique wherein the home agent tunnels packets to a care-of address of a foreign domain when a mobile terminal moves to a point of attachment at the foreign domain. Thus, such portions of La Porta et al. only include description of a home agent forwarding packets to a foreign domain, and, therefore, fail to disclose the claimed features of transmitting data and identification information from first and second radio base stations in a diversity transmission manner to a radio terminal.

In other words, La Porta et al., as cited and relied upon by the Examiner, fail to disclose,

“[a] radio communication method comprising:
maintaining identification information allotted to a radio terminal for receiving data without renewing the identification information when the radio terminal moves from an area of a first radio base station to an area of a second radio base station, and transmitting data and the identification information to the radio terminal *from the first and second radio base stations in a diversity transmission manner*; and
renewing the identification information when the radio terminal moves to an area of a third base station, and transmitting data and the renewed identification information to the radio terminal from the third radio base station,” as recited in claim 11. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 11, together with claims 12-14 and 17 dependent therefrom, is patentable over La Porta et al. for at least the foregoing reasons.

Correspondingly, La Porta et al., as cited and relied upon by the Examiner, fail to disclose,

“[a] radio system performing radio communication with a radio terminal that is in communication with a first radio base station, comprising:

a second radio base station transmitting data and identification information allotted to the radio terminal for receiving data to the radio terminal from the first radio base station without renewing the identification information when the radio terminal moves from an area of the first radio base station to an area of the second radio base station, the data being transmitted from the first and second radio base stations in parallel; and

a third radio base station renewing the identification information for receiving data when the radio terminal moves to an area of the third radio base station, and transmitting data and the renewed identification information to the radio terminal,” as recited in claim 15. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 15 is patentable over La Porta et al. for at least the foregoing reasons. Claim 16 incorporates features that correspond to those of claim 15 cited above, and is, therefore, patentable over La Porta et al. for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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